

<p style="text-align: right;">Page 141</p> <p>1 We have pending litigation. There's</p> <p>2 this litigation. There was the abuse of process case</p> <p>3 that we're waiting on, which we did get a decision in</p> <p>4 that, but we're waiting to see where these cases go.</p> <p>5 Again, as I told you, we're doing a</p> <p>6 risk benefit analysis on whether we do want to go back</p> <p>7 or not. We're still at that point, depending on what</p> <p>8 the outcome of some of these other cases are, what we</p> <p>9 get for documents in these cases, and to do analysis,</p> <p>10 and whether we want to go back, as I said, and</p> <p>11 re-expose Dr. Lin to our confidential information and</p> <p>12 trade secrets again that we know that she used and</p> <p>13 disclosed.</p> <p>14 Q. Would you agree with me that nothing has</p> <p>15 happened in Montgomery County since May of 2008?</p> <p>16 A. I don't -- I think something has happened,</p> <p>17 but I don't recall.</p> <p>18 Q. I think we already agree that nothing has</p> <p>19 happened in Montgomery County since the Appellate</p> <p>20 Court decision of March of 2010, right?</p> <p>21 A. I don't believe that's totally accurate,</p> <p>22 but --</p> <p>23 Q. What's happening? What's going on in</p> <p>24 Montgomery County?</p> <p>25 A. I would have to look at the record, but I</p>	<p style="text-align: right;">Page 143</p> <p>1 about that, the impact of that on her? What's your</p> <p>2 understanding of that?</p> <p>3 A. I don't understand the question.</p> <p>4 Q. How do you think that impacts her</p> <p>5 professional life, the fact that over the last 13</p> <p>6 years and ongoing the claim has been made that she</p> <p>7 stole your trade secrets and has employed them to</p> <p>8 compete against you? What do you think the impact of</p> <p>9 that is on her, in terms of your unilateral decision</p> <p>10 to keep the record open?</p> <p>11 A. The record in Montgomery County I think</p> <p>12 speaks for itself. I mean, it shows that we had a</p> <p>13 preliminary injunction hearing that the Court did find</p> <p>14 that Dr. Lin used and did disclose our confidential</p> <p>15 information, and all we were seeking after that was a</p> <p>16 discovery request which we never received.</p> <p>17 So, that was -- the length of that</p> <p>18 case was due to Dr. Lin's and EverNu's actions in the</p> <p>19 case for not complying with Court Orders where she was</p> <p>20 sanctioned over and over again, and there was</p> <p>21 continued non-compliance.</p> <p>22 Q. Let's move ahead.</p> <p>23 A. I agree.</p> <p>24 Q. Were you successful in having Russomanno</p> <p>25 removed for comparing your data to what she was</p>
<p style="text-align: right;">Page 142</p> <p>1 believe there was something that happened in the</p> <p>2 interim, but I don't recall.</p> <p>3 Q. Could you tell me what that is because I'm</p> <p>4 unaware of anything?</p> <p>5 A. I would have to look at the record.</p> <p>6 Q. As you sit here today do you understand that</p> <p>7 through your counsel, I guess at your suggestion, tell</p> <p>8 me if I'm wrong, requested that if the matter in</p> <p>9 Montgomery County was to be closed it would have to be</p> <p>10 closed or there would have to be another hearing at</p> <p>11 your request, not at her request? Do you understand</p> <p>12 that?</p> <p>13 A. Correct, yes. I believe that's what happened</p> <p>14 since the Order.</p> <p>15 Q. So, as long as you don't request closure or</p> <p>16 another hearing, she twists in the wind, right?</p> <p>17 MR. KRESGE: Objection to the form</p> <p>18 of the question.</p> <p>19 Q. I'll phrase it differently. As long as you,</p> <p>20 Rohm and Haas, don't request closure or another</p> <p>21 hearing, the case remains open, correct?</p> <p>22 A. That's my understanding. Yes.</p> <p>23 Q. What's your understanding about the fact of</p> <p>24 an open case against a former employee where the claim</p> <p>25 is theft of a trade secret? What's your understanding</p>	<p style="text-align: right;">Page 144</p> <p>1 inventing?</p> <p>2 A. I don't recall what happened to Russomanno.</p> <p>3 Q. Were you successful in having him put in a</p> <p>4 new position so that this would never be an</p> <p>5 embarrassment to you again?</p> <p>6 MR. KRESGE: Objection to the form</p> <p>7 of the question.</p> <p>8 MR. FIORAVANTI: If I got it wrong,</p> <p>9 all he has to say is I don't know or no.</p> <p>10 MR. KRESGE: The way it has been</p> <p>11 phrased --</p> <p>12 MR. FIORAVANTI: This is discovery.</p> <p>13 MR. KRESGE: It's right to have</p> <p>14 discovery, but not discovery with such inaccurate</p> <p>15 loaded questions that are argumentative.</p> <p>16 Q. What, if any, impact did you have on</p> <p>17 Russomanno's career, if you know?</p> <p>18 A. I don't know.</p> <p>19 Q. Now, you did not get a prompt reply to your</p> <p>20 February 13, 2008 letter, did you?</p> <p>21 MR. KRESGE: Which one is that?</p> <p>22 A. Do you have the reply? I could look at the</p> <p>23 document.</p> <p>24 MR. KRESGE: Which exhibit are you</p> <p>25 referring to?</p>